

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

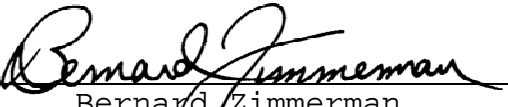
KEN MOOREHEAD,)	
)	
Plaintiff(s),)	No. C 09-2763 BZ
)	
v.)	ORDER OF DISMISSAL
)	
JOHN DOE,)	
)	
Defendant(s).)	
_____)	

On June 22, 2009, *pro se* plaintiff Ken Moorehead ("plaintiff"), filed a complaint seeking relief from an unidentified defendant, and applied to proceed *in forma pauperis*, pursuant to 28 U.S.C. § 1915(a).¹ By order dated July 28, 2009, plaintiff's application to proceed *in forma pauperis* was granted; however, plaintiff's complaint was dismissed with leave to amend on the grounds that the complaint failed to allege facts sufficient to state a claim on which relief may be granted.

¹ Plaintiff has consented to my jurisdiction for all proceedings including entry of final judgment, pursuant to 28 U.S.C. § 636(c).

1 Plaintiff's amended complaint was due August 28, 2009.
2 Plaintiff has not filed an amended complaint, nor has he asked
3 the Court to continue the August 28, 2009 deadline. Pursuant
4 to 28 U.S.C. 1915(e)(2)(B) and Fed. R. Civ. Proc. Rule 41(b),
5 and for the reasons stated in my July 28, 2009 Order,
6 plaintiff's complaint is **DISMISSED** with prejudice.

7 Dated: September 9, 2009

8 
9 Bernard Zimmerman
10 United States Magistrate Judge

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